

## **REMARKS**

In the Office Action dated September 9, 2004, the period for response to which has been extended by one month to and including January 9, 2005 by the request for extension of time which is attached hereto and made apart hereof. The Office rejected claims 1-29 and more specifically claims 1-4, 6, 7, 13, 14 and 25 variously pursuant to 35 U.S.C. §102 and 112, respectively. With respect to the rejection of claims 13 and 14, pursuant to 35 U.S.C. §112, second paragraph, the Office objected to the subject matter of those claims inasmuch as the Office stated that in claim 14 the phrase "the channel" had insufficient antecedent basis. However, the Office should note that claim 14 depends on claim 13. As will be seen in line 2 of claim 13, a channel is clearly called out in that claim. However, claim 14 has been further amended in a fashion which is believed to overcome this present rejection.

In view of the foregoing, it would appear that claims 13 and 14, are now allowable over the objections raised by the Office in the recent Office Action. Favorable action with respect to claim 13 and 14 is courteously solicited in the next Action.

In the recent Office Action, the Office indicated that claims 26-29 were objected to as being dependent upon a rejected base claim but would be allowable if rewritten in independent form, including all the limitations of the base claim and any intervening claims.

In this regard, claim 26 has been rewritten in accordance with the helpful suggestion of the Office and is now believed to be in condition for allowance. Claims 27-29 depend therefrom and are therefore believed to be similarly allowable. Therefore favorable action with respect to claims 26-29 is respectively requested in the Office's next Action.

The Office will note that claims 3, 8, 9 and 25 have been cancelled by means of the present amendment. Still further, claim 1 has been amended and is believed to define

allowable subject matter. The prior art as provided by the Office fails to show a releasably mountable gate assembly which can cooperate with a conveying surface and which can be released therefrom by means of a latch assembly as claimed in claim 1. The remaining dependent claims have been amended to correct dependency inconsistencies and to place the remaining claims in condition for allowance.

In addition to the foregoing, new claim 30 is provided herewith and is believed to define allowable subject matter which is not shown in the prior art references which have been developed by the Examiner's search in the present application.

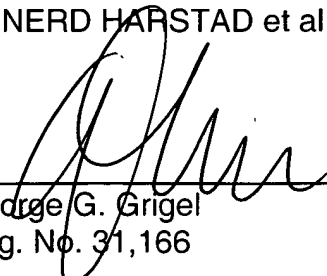
In view of the foregoing, it would appear that this application is now in condition for allowance, and prompt Notice of Allowance of claim 1, 2, 4-7, 10-24, and 26-30 is respectfully requested in the Office's next action.

Applicant, by and through their counsel, would request that the Office telephone the attorneys in the event that a further telephone conference could expedite the prompt handling of the present application.

Respectfully submitted,

DENERD HARSTAD et al.

Dated: Dec 16, 2004

By:   
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